

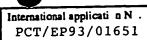
PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference LeA29 111-PC	FOR FURTHER ACTION	CTION See Notification of Transmittal of Interr Preliminary Examination Report (Form PCT/IPI						
International application No.	International filing date (day/mo	onth/year)	Priority date (day/month/year)					
PCT/EP 93/01651	28.06.93		09.07.92					
International Patent Classification (IPC)	or national classification and IP	С	:					
	C08G18/66							
Applicant BAYER AKTIENG	SESELLSCHAFT et a	al						
		-						
This international preliminary Authority and is transmitted to			his International Preliminary Examining					
2. This REPORT consists of a total	of 7 sheets, inclu	iding this cov	er sheet.					
been amended and are the		ets containing	ption, claims and/or drawings which have rectifications made before this Authority der the PCT).					
These annexes consist of a total	of sheets.							
3. This report contains indications	relating to the following items:							
I Basis of the report		٠						
II Priority								
III Non-establishment	of opinion with regard to novel	ty, inventive s	step and industrial applicability					
IV Lack of unity of in			·					
V X Reasoned statemen citations and explan	t under Article.35(2) with regard nations supporting such stateme	d to novelty, i nt	nventive step or industrial applicability;					
VI X Certain documents	cited		•					
VII X Certain defects in t	VII X Certain defects in the international application							
VIII X Certain observation	s on the international application	n						
•			<u> </u>					
Date of submission of the decay		of completing	of this report					
Date of submission of the demand	Date	or combiento	n of this report					
28.06.93		27.05.9	4					
Name and mailing address f the IPEA	/ EP Auth	orized officer						
		•						
Facsimile N	Teler	ohone No.						





INTERNATIONAL PRELIMINARY EXAMINATION REPORT

I. Basis f the report										
1. This report has been drawn on the basis of:										
The internation	al application as originally f	īled.								
the description	the description, pages, as originally filed,									
	pages	, filed with the demand,								
	pages	, filed with the letter of,								
	pages	, filed with the letter of,								
the claims,	pages	, as originally filed,								
_	pages	, as amended under Article 19,								
	pages	, filed with the demand,								
	pages	, filed with the letter of,								
	pages	, filed with the letter of,								
the drawings,	sheets/fig	, as originally filed,								
	sheets/fig	, filed with the demand,								
	sheets/fig	, filed with the letter of,								
	sheets/fig	, filed with the letter of,								
2. The amendments have resulted in the cancellation of: sheets of drawings/figures No.: 3. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box. 4. Additional observations, if necessary:										
II. Priority		, · · · · · · · · · · · · · · · · · · ·								
1. This report has been established as if no priority had been claimed due to the failure to furnish within the prescribed time limit the requested: copy of the earlier application whose priority has been claimed. translation f the earlier applicati n whose priority has been claimed.										
2. This report has been invalid.	established as if no priority l	had been claimed due to the fact that the priority claim has been found								
Thus for the purposes of this report, the internati nal filing date indicated above is considered to be the relevant date.										



Intermedial application No.
PCT/EP 93/01651

v.	Reasoned statem in under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement								
ı.	STATEMENT		1-8						
	Novelty (N)	Claims	1-0	YES					
		Claims		NO NO					
	Inventive Step (IS)	Claims	1-8	YES					
	military conf. (c=)	Claims		NO					
			1-8	•					
	Industrial Applicability (IA)	Claims		YES					
	••	Claims		NO					

2. CITATIONS AND EXPLANATIONS

Novelty

The subject matter of the present claims 1 to 8 is novel, having regard to the prior art cited in the international search report. EP-A-0 463 493 (D1), which is considered to be the closest prior art, does not disclose a process for producing hard foams wherein 1) polyisocyanates, 2) compounds with a molecular weight of 400 to 10000 which react with isocyanates, 3) CFC-free organic propellants, 4) flameproofing agents, 5) crosslinking agents with a molecular weight of 32 to 399 and, optionally, 6) known auxiliaries and additives are reacted, components 2), 4) and 5) being used as a formulation in the amounts specified in claim 1 and the NCO number lying between 200 and 600.

Inventive step

The subject matter of the present claims 1 to 8 also involves an inventive step, because there is no hint of the claimed process in D1, taken either separately or in combination with another international search report citation. The reasons are as follows:



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Supplemental Box

(To be used when the space in any of Boxes I t VIII is not sufficient)

Continuation of Box [No.]:

D1 discloses a process for producing hard PU foams by reacting together the above-mentioned components 1) to 6), component 3) comprising an aqueous solution of alkali carboxylates.

The process claimed in the present claims is distinguished from the process known from D1 in that components 2), 4) and 5) are used as a formulation in the amounts specified in claim 1.

Because of this measure, hard PU foams produced by the subject matter of the application possess better dimensional stability, i.e., undergo less shrinkage, than the foams produced by the process of D1 (see comparative examples).

Since this measure was not suggested by the prior art, the presence of an inventive step can be acknowledged.

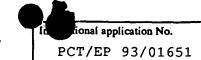
INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/EP93/01651

VI. Certain documents cited Certain published documents Priority date (valid claim) Filing date Publication date Application N . (day/month/year) (day/month/year) (day/month/year) Patent No. 20/03/91 10/03/92 01/10/92 WO 92/16573 Non-written disclosures Date of written disclosure referring to non-written disclosure Date of non-written disclosure Kind of non-written disclosure (day/month/year) (day/month/year)

INTERNATIONAL PRESIMINARY EXAMENATION REPORT

The following defects in the form or contents of the international application have been noted:



VII. (Certain	defects	in	the	internati	ional	ap	plicati	n
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In line 26	on page 9	, the	word	"moı	ce"	should	d be	e i	nsei	rted	before	٠
"foamable",	otherwis	e the	sente	ence	in	lines	26	to	28	does	not	
make sense.												

Form PCT/IPEA/409 (seventh sheet) (July 1992)

PCT/EP 93/01651

VIII. Certain observati ns on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

The application does not comply with the requirements of PCT Article 6, because claim 1 is not clear for the following reasons:

- 1.) The expression "organic propellant" is inconsistent with the description and therefore makes the scope of the subject matter of the claim unclear, since it also includes the CFC-containing propellants explicitly excluded on page 1 of the description.
- 2.) The details of the composition of the formulation (page 20, lines 4 to 14) are inconsistent: Firstly, the parts by weight of components 2), 4) and 5) should add up to 100 and secondly, the sum of the parts by weight of the above-mentioned components is equal to at least 110 if up to 90 parts by weight of component 2) are present.